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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|--|-------------|----------------------|---------------------------------|-----------------------------|
| 10/711,842   | 10/08/2004  | Markus Reiter        | 20067US                         | 5841                        |
| 23470  | 7590        | 12/28/2009           |                                 |                             |
| SRAM, LLC<br>1333 N. KINGSBURY, 4TH FLOOR<br>CHICAGO, IL 60642 |             |                      | EXAMINER<br>IRVIN, THOMAS W     |                             |
|  |             |                      | ART UNIT<br>3657                | PAPER NUMBER                |
|  |             |                      | NOTIFICATION DATE<br>12/28/2009 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lserdyski@sram.com  
mm@sram.com

|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/711,842 | <b>Applicant(s)</b><br>REITER, MARKUS |  |
|                              | <b>Examiner</b><br>THOMAS IRVIN      | <b>Art Unit</b><br>3657               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 7-24 is/are pending in the application.
- 4a) Of the above claim(s) 10,11,13,14 and 17-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,7-9,12,15,16 and 24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 November 2009 has been entered.

All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

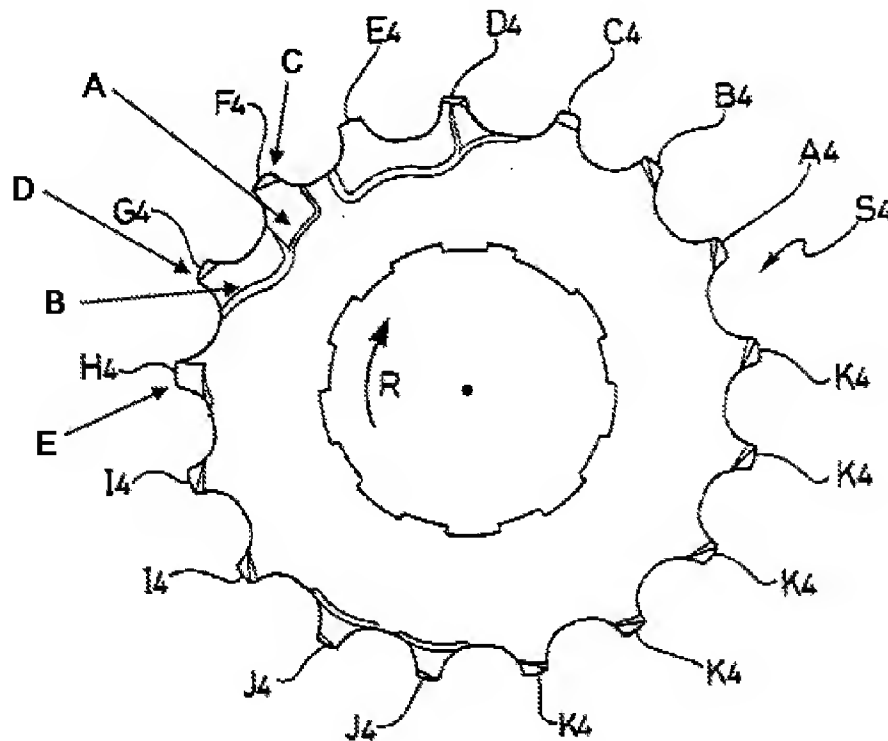
***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 7-9, 12, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kamada (6,340,338).



**FIG. 12**

In Re claim 1, with reference to Fig. 3, 13, 14, and 12 (above), Kamada discloses a chainwheel assembly including a plurality of chainwheels (s1-s7) engageable with a chain (23) having successive alternating pairs of inner link plates and outer link plates connected by pins, the pins surrounded by rollers, the chainwheel assembly comprising: at least one smaller chainwheel (s3) having a plurality of teeth spaced about its circumference; and at least one larger chainwheel (s4) having a greater number of teeth spaced about its circumference than the smaller chainwheel, the larger chainwheel and the smaller chainwheel oriented relative to each other such that a distance between a center of the chain roller positioned between a pair of adjacent teeth on the larger chainwheel and the center of the chain roller between a pair adjacent teeth on the smaller chainwheel is substantially an integer multiple of the chain pitch, at least a first tooth (f4) of the pair of adjacent teeth (F4,G4) on the larger chainwheel includes a first lateral recess (A) having a first run-on ramp (see fig. 14), at least a second tooth (G4) of the pair of adjacent teeth disposed adjacent to the first tooth opposite the drive rotation direction including a second lateral recess (B) with a run-on ramp (see fig. 14).

In Re claims 2 and 3, see fig. 14.

In Re claim 5, see third tooth (H4) which includes a run-out chamfer (E).

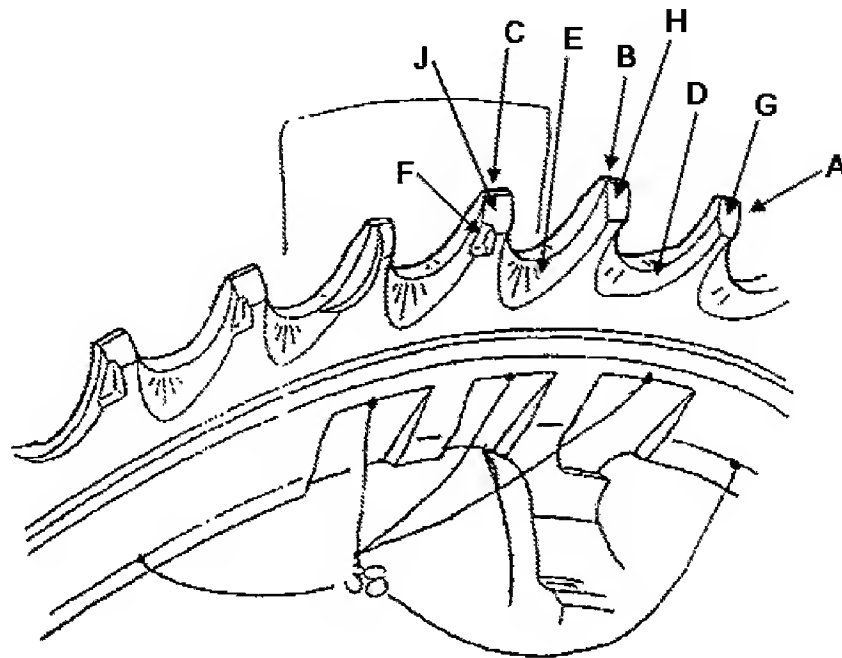
In Re claim 7, see fig. 14.

In Re claims 8, 9, and 12, see deflection chamfers (C,D) on the first and second tooth (F4,G4) in fig. 12 above.

In Re claim 15, see fig. 3.

In Re claim 16, see chamfers (C,D,E).

Claims 1-3, 5, 7, 8, 12, 15, 16, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Yahata (2002/0086753).



**FIG. 5**

In Re claim 1, with reference to Fig. 5, above, Yahata discloses a chainwheel assembly including a plurality of chainwheels (see fig. 15) engageable with a chain (10), the chainwheel assembly comprising: at least one smaller chainwheel (50) having a plurality of teeth spaced about its circumference; and at least one larger chainwheel (40) having a greater number of teeth spaced about its circumference than the smaller chainwheel, at least a first tooth (A) of a pair of adjacent teeth (A,B,C) on the larger chainwheel includes a first lateral recess and run-on ramp (D), at least a second tooth (B) of the pair of adjacent teeth disposed adjacent to the first tooth opposite the drive rotation direction including a second lateral recess and run-on ramp (E).

In Re claims 2 and 3, see fig. 5.

In Re claim 5, see third tooth (C) which includes a run-out chamfer (F).

In Re claim 7, see fig. 5.

In Re claims 8 and 12, see deflection chamfers (G,H) on the first and second tooth (A,B) in fig. 5 above.

In Re claim 15, see fig. 11.

In Re claim 16, see chamfers (G,H,J).

In Re claim 24, the recesses are separate from each other.

### ***Response to Arguments***

Applicant's arguments filed 13 November 2009 have been fully considered but they are not persuasive.

As previously stated, in response to applicant's argument that that Kamada fails to disclose two run-on ramps configured to lift the outer link plate of a chain, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In this case, the examiner believes that Kamada's recesses are understood to include run-on ramps that could lift the outer link plate of a chain as understood from the claim. Additionally, the examiner points out that the claims do not define the recesses and run-on ramps so as to define over the first and second recesses of Kamada.

As stated above, in response to applicant's argument that the recesses E and D of Yahata are not configured to lift the outer link plate of a chain, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In this case, the examiner believes that Yahata's recesses are understood to include run-on ramps that could lift the outer link plate of a chain as understood from the claim. Additionally, the examiner points out that the claims do not define the recesses and run-on ramps so as to define over the recesses of Yahata.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS W. IRVIN whose telephone number is (571)270-3095. The examiner can normally be reached on Mon-Fri 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas W. Irvin/  
Examiner, Art Unit 3657

/Bradley T King/  
Primary Examiner, Art Unit 3657